

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-5 and 7-11 remain in the application. Claims 1 and 7 have been amended.

In item 8 on page 2 of the above-identified Office action, claims 1, 7 have been rejected as being unpatentable over Lubart (U.S. 2005/0192913 A1) in view of Goodman (U.S. Patent No. 5,146,403) under 35 U.S.C. § 103(a).

In item 11 on page 6 of the above-identified Office action, claims 2-3, 8-9 have been rejected as being unpatentable over Lubart in view of Goodman, further in view of Nielsen (U.S. Patent No. 6,405,243 B1), further in view of Kuebert et al. (U.S. Publication No. 2002/0165729 A1) (hereinafter "Kuebert") under 35 U.S.C. § 103(a).

In item 16 on page 8 of the above-identified Office action, claims 4, 5, 10, 11 have been rejected as being unpatentable over Lubart in view of Goodman, further in view of Nielsen, further in view of Kuebert et al. (U.S. Publication No. 2002/0165729 A1) (hereinafter "Kuebert") under 35 U.S.C. § 103(a).

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 2, lines 10-12 of the specification and in the original claims of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, *inter alia*, a method of forwarding post, having the steps of:

providing a post forwarding apparatus **for scanning an address face of the post for a TAG ID and consulting a database for records related to the TAG ID, the records indicating the TAG ID is expired and if a redirection fee has been paid,**

if the **TAG ID is expired, automatically determining if an addressee of the post maintains a forwarding service account,** and

if the forwarding service account is maintained, **debiting the account automatically in an appropriate amount and forwarding the post to an addressee destination address.** (emphasis added)

Lubart discloses a method for forwarding post, but does not disclose the claimed feature of consulting a database for records related to the TAG ID. Lubart discloses scanning an address face of the post for a barcode or the like. See paragraph 0048. However, Lubart only uses a pseudo name displayed on the mail object and does not use a bar code or the like, or a TAG ID. Lubart does disclose consulting a database for records related to a pseudo name. A pseudo name is not TAG ID. Nor does Lubart disclose an equivalency between the two. Thus, Lubart does not disclose the claimed feature of consulting a database for records related to the TAG ID.

While one skilled in the art might consider transforming the pseudo name into a machine readable code, like a bar code, a machine readable pseudo name is not a TAG ID. An ID is an identification code only if it distinguishes the letter on which it is printed over all other letters in a sorting machine or in a distribution centre. A pseudo name does not have this capability or property. There are easily two or more letters in a sorting machine directed to one addressee and carrying the same pseudo name. Thus, a pseudo name is not suitable for distinguishing a letter from another letter and for identifying a letter. Therefore, even a machine readable pseudo name is not a TAG ID. Therefore, Lubart does not disclose consulting a database for records related to the TAG ID.

Another feature that Lubart does not disclose is that the records indicating the TAG ID is expired. Lubart discloses a profile related to the pseudo name (see paragraph 0049). Within this profile data are enclosed indicating a "follow me" address valid only during a date range (see paragraph 0053). Such "follow me" address may expire at the end of the date range. But neither the pseudo name *as such* will expire nor will any TAG ID expire. Nothing written on the letter and read by any reading device in Lubart expires. Lubart's disclosure is directed to the opposite. The information printed on the letter is chosen so that it *does not* expire. No address is used that expires. Instead, a non-expiring pseudo name is used.

According to the present claimed invention, the TAG ID may be expired and not be valid anymore for directing the letter to its addressee. Lubart discloses an opposite

teaching....the pseudo name in Lubart never expires, since in such case the invention as described in Lubart would be useless. The pseudo name in Lubart only *contains* data indicating an expiration of an old address and giving a new address. The difference between the present claimed invention and Lubart is that according to the present claimed invention the writing on the letter (the TAG ID) expires, whereas in Lubart the writing on the letter never expires but *contains* expiry data for an old address and valid data to a new address. Therefore, Lubart does not disclose the records indicating said TAG ID is expired as recited in the instant claims.

Another feature not disclosed by Lubart is the claimed feature indicating if a redirection fee has been paid. Lubart discloses checking for postage due (paragraph 0059), checking for a missing stamp (paragraph 0071), and charging a redirection service fee (paragraphs 0077 and 0078). However, none of these disclose the feature of checking for an indication if a redirection fee *has been* paid. Lubart only discloses checking if a normal fee has been paid, or the billing of redirection fee. But neither checking a normal fee, nor billing of a redirection fee is a checking for an indication if a redirection fee *has already been* paid in the past.

Nor does Lubart disclose any action dependent on the expiry of anything written on the letter, such as the claimed feature "if the TAG ID is expired ...."

Lubart discloses that data related to the profile related to the pseudo name may indicate an expiry. Upon such expiry the letter is redirected as disclosed in Lubart. But Lubart does not disclose any teaching that any action is taken upon the expiry of

anything written or printed on the letter. Moreover, Lubart does not disclose any teaching that any action is taken upon the expiry of a TAG ID.

Therefore, Lubart is missing several claimed features in claims 1 and 7. Accordingly, claims 1 and 7 are believed to be patentable distinct over Lubart with respect to the previously mentioned features.

The secondary Goodman reference does not make up for or overcome the deficiencies in Lubart. None of the features missing in Lubart is disclosed in Goodman.

Goodman does not disclose the feature of consulting a database for records related to the TAG ID. Goodman discloses a method for distributing an address change. Goodman does not mention any method step involving a TAG ID of a letter as recited in the instant claims.

Goodman does not disclose the claimed feature that the records indicating said TAG ID is expired, or the claimed feature of indicating if a redirection fee has been paid. Nor does Goodman any action being taken dependent on the expiry of anything written on the letter, such as the claimed feature "if the TAG ID is expired...."

The Goodman reference discloses a change of address system having a plurality of change of address terminals. The terminals receive and store customized change of address information provided by the users. A service computer receives the change

of address information from all of the terminals and notifies the postal services and others who desire the information.

Goodman is deficient in several respects in that it does not disclose features of maintaining a forwarding service account, debiting the account automatically and forwarding the post to an addressee destination address, scanning an address face of the post for a TAG ID and consulting a database for records related to the TAG ID, the records indicating if the TAG ID is expired, and if a redirection fee has been paid, providing a time delay before destruction of the post.

The Examiner proposes to make up for the many deficiencies of the primary Lubart reference by extracting isolated individual features from the several secondary references of Goodman (discussed above) and Nielson and Kuebert, both discussed below.

The Nielsen reference discloses a networking system for forwarding an email message to an updated email address. After changing his or her email address the user sends the new email information to an address change server. The server stores the new information in its database. The server forwards a sender's email message to the new recipient's new email address upon being contacted by the sender.

The Kuebert reference discloses a mail delivery system wherein the delivery point and delivery time for a mail item can be changed while in route. This is

accomplished by determining that the mail is in transit and then sending a notification to change the delivery destination or time of delivery. There is no disclosure or suggestion of establishing a mail redirection account, let alone automatically determining whether a mail forwarding account exists in the first instance, and if it does then automatically debiting the account for the redirection of mail as recited in the claims of the instant application.

The Examiner has recognized the significant deficiencies of the prior art and that the prior art do not disclose the claimed features of the present invention. In an effort to overcome these deficiencies the Examiner has been required to resort to extracting isolated bits and pieces of the claimed invention from different references to arrive at a compilation that hopefully, meets the claimed features. It is respectfully submitted that such a compilation is improper rejection based solely on hindsight reconstruction of applicant's claimed invention after the Examiner has read applicant's specification and is not suggested by the distinctly different problems faced by the respective references. There is no logical basis for combining the references as proposed by the Examiner.

The claimed features of scanning the TAG ID and verifying if it is expired and if the TAG ID is expired, automatically determining if an addressee of the post maintains a forwarding service account, are important aspects of the present invention. Claims 1 and 7 now more clearly recite that the TAG is read and checked in a data base as to whether the TAG ID has expired and that if the TAG ID is expired there is an

automatic determination if the addressee maintains a forwarding account. These features are not disclosed in any of the applied references.

The references do not show a "... scanning an address face of the post for a TAG ID and consulting a database for records related to the TAG ID, the records indicating said TAG ID is expired and if a redirection fee has been paid, if the TAG ID is expired, automatically determining if an addressee of the post maintains a forwarding service account, and if the forwarding service account is maintained, debiting the account automatically in an appropriate amount and forwarding the post to an addressee destination address" as recited in claim 1 of the instant application. Independent apparatus claim 7 contains similar limitations.

In view of the foregoing, reconsideration and allowance of claims 1-5 and 7-11 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to Deposit Account Number 12-1099 of Lerner Greenberg Sterner LLP.



Application No. 10/579,845  
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Reply to Office action of 7/29/2009

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

Respectfully submitted,

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